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BEFORE THE ARIZONA CORPORATION COMMISSION

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CARL J. KUNASEK
CHAIRMAN

JIM IRVIN
COMMISSIONER

WILLIAM A. MUNDELL
COMMISSIONER

Arizona Corporation Commission

DOCKETED

CORP COMMISSION
DOCUMENT CONTROL

OCT 05 1999

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF
TELSTAR TELECOM COMPANY, LLC FOR A
CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE LOCAL EXCHANGE
SERVICES AS A RESELLER.

DOCKET NO. T-03570A-98-0313

PROCEDURAL ORDER

BY THE COMMISSION:

On June 16, 1998, Telstar Telecom Company, LLC ("Applicant") filed with Docket Control of the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity ("Certificate") to provide local exchange services as a reseller within the State of Arizona. Pursuant to A.A.C. R14-2-1104 and R14-2-1105, Applicant is required to publish notice of its filing in newspapers in all counties where service is to be provided. The record does not indicate that Applicant has filed Affidavits of Publication. On August 20, 1999, the Commission's Utilities Division Staff ("Staff") filed its Staff Report in this matter. Staff recommended that the application be denied because Applicant did not respond to Staff's data requests for additional information.

Pursuant to A.R.S. § 40-282, the Commission may act on an application for a Certificate to provide resold telecommunications services without a hearing, or with a hearing if one is requested by any party.

Pursuant to A.A.C. R14-2-1106 and R14-2-1108, the Commission now issues this Procedural Order to govern the preparation and conduct of this proceeding.

IT IS THEREFORE ORDERED that Applicant shall file written exceptions to the Staff Report or request that a hearing be set by November 19, 1999.

1 IT IS FUTHER ORDERED that intervention shall be in accordance with A.A.C. R14-2-105,
2 except that all motions to intervene must be filed on or before November 19, 1999.

3 IT IS FURTHER ORDERED that the following notice shall be provided to the organizations
4 and individuals listed below, on or before October 29, 1999.

5 **NOTICE OF APPLICATION FOR A CERTIFICATE**
6 **OF CONVENIENCE AND NECESSITY TO PROVIDE**
7 **RESOLD LOCAL EXCHANGE SERVICES BY**
8 **TELSTAR TELECOM COMPANY, LLC**

9 Telstar Telecom Company, LLC ("Applicant") has filed with the Arizona
10 Corporation Commission ("Commission") an application for a Certificate of
11 Convenience and Necessity ("Certificate") to provide resold local exchange
12 telecommunications services in the State of Arizona. Applicant will be required by
13 the Commission to provide this service under the rates and charges and terms and
14 conditions established by the Commission.

15 A.R.S. § 40-282 provides that the Commission may act on an application for
16 a Certificate to provide resold telecommunications services without a hearing, or with
17 a hearing, if one is requested by any party. Applicant or any other party must request
18 a hearing by November 19, 1999, or the Commission will rule on the application
19 without a hearing.

20 The application, report of the Commission's Utilities Division Staff, and any
21 written exceptions to the staff report prepared by the applicant are available for
22 inspection during regular business hours at the offices of the Commission located at
23 1200 West Washington Street, Phoenix, Arizona 85007, and at Applicant, [address].

24 Under appropriate circumstances, interested parties may intervene in the
25 proceedings and participate as a party. Intervention shall be in accordance with
26 A.A.C. R14-3-105, except that all motions to intervene must be filed on or before
27 November 19, 1999. You may have the right to intervene in the proceeding, or you
28 may make a statement for the record. If you have any comments, mail them to:

The Arizona Corporation Commission
Attention Docket Control
re: Telstar Telecom Company,
T-03570A-98-0313
1200 West Washington Street
Phoenix, Arizona 85007

23 All comments should be received by November 19, 1999.

24 If you have any questions about this application or have any objections to its
25 approval, you may contact the Consumer Services Section of the Commission at
26 1200 West Washington Street, Phoenix, Arizona 85007 or call 1-800-222-7000.

26 The Commission does not discriminate on the basis of disability in admission
27 to its public meetings. Persons with a disability may request a reasonable
28 accommodations such as sign language interpreter, as well as request this document
in an alternative format, by contacting Cynthia Mercurio-Sandoval, ADA

Coordinator, voice phone number 602/542-0838, E-Mail csandoval@cc.state.az.us.
Requests should be made as early as possible to allow time to arrange the
accommodation.

IT IS FURTHER ORDERED that Applicant shall mail or hand-deliver the above notice to
the following:

Ms. Kathryn Haycock
Call America
1201 South Alma School Road, Suite 2000
Mesa, AZ 85210
Local Reseller Representative

Mr. Andy Regitsky
Director, State Affairs
ComTel
1140 Connecticut Avenue N.W., Suite 220
Washington, D.C. 20036
National Reseller Trade Representative

Mr. Jeffrey W. Crockett
Snell & Wilmer, L.L.P.
One Arizona Center
400 East Van Buren
Phoenix, AZ 85004
Attorneys for Association of Exchange Carriers

Mr. Raymond S. Heyman
Roshka, Heyman & DeWulf
400 North Fifth Street, Suite 1000
Phoenix, AZ 85004
Attorneys for Arizona Payphone Association

Ms. Patricia L. van Middle
AT&T Communications of the
Mountain States
2800 North Central Avenue, Suite 828
Phoenix, AZ 85004

Mr. Gary Hoslet, Esq.
Frontier Communication Services, Inc.
30300 Telegraph Road, Suite 350
Bingham Farms, MI 48205

Mr. Tom Dixon, Esq.
MCI Telecommunications Corporation
707 17th Street, #3900
Denver, CO 80202

Mr. Donald Low
Sprint Communications Company
8140 Ward Parkway, 5E
Kansas City, MO 64114

1 Mr. Timothy J. Berg
Fennemore Craig
3001 N. Central Ave.
2 Suite 2600
Phoenix, AZ 85012-2913

3
4 Mr. Russell P. Rowe
Associate General Counsel
U S WEST, Inc.
5 1801 California Street, Suite 5100
Denver, CO 80802

6
7 Mr. Craig Marks
Citizens Utilities Company
2901 North Central, Suite 1660
8 Phoenix, AZ 85012

9 Mr. Thomas L. Mumaw
Snell & Wilmer, L.L.P.
10 One Arizona Center
400 East Van Buren
11 Phoenix, AZ 85004
Attorneys for Contel of California - AZ

12
13 Mr. Stanley K. Stoll
Blackburn & Stoll, L.P.
77 West 200 South, Suite 400
14 Salt Lake City, UT 84101-1609
Attorneys for South Central Utah Telephone Association

15
16 Mr. Lane R. Williams
Mr. John A. Stuart
Midvale Telephone Exchange, Inc.
17 2205 Keithley Creek Road
Midvale, ID 83645

18
19 Mr. John Hayes
Table Top Telephone Company, Inc.
600 North Second Avenue
20 Ajo, AZ 85321

21 Mr. John Zeiler
Manager - External Relations
22 TDS Telecom - Choctaw Office
2495 N. Main Street
23 P.O. Box 220
Choctaw, OK 73020

24
25 Ms. Dee Monsoor
Universal Telephone of Southwest
100 Century Park Drive
26 Monroe, LA 71203

1 Mr. Lynn D. Gunwall
Valley Telephone Cooperative, Inc.
Copper Valley Telephone Company, Inc.
752 East Maley
2 Willcox, AZ 85644

3 Ms. Brenda Crosby
General Manager
4 Cascade Utilities
P. O. Box 189
5 Estacada, OR 97023

6 Mr. John Peterson
General Manager
7 Rio Virgin Telephone Company
P. O. Box 299
8 Mesquite, NV 89024

9 Director
Residential Utility Consumer Office
10 2828 North Central Avenue, Suite 1200
Phoenix, Arizona 85004
11

12 IT IS FURTHER ORDERED that notice in accordance with this Procedural Order shall be
13 deemed complete upon the provision of the notice, notwithstanding the failure of a noticed
14 organization or individual to read or receive the notice.

15 IT IS FURTHER ORDERED that a certificate of providing notice shall be filed by the
16 Applicant with the Commission's Docket Control prior to November 19, 1999. The certificate shall
17 state the name of each organization and individual noticed, and the date and method of delivery.

18 IT IS FURTHER ORDERED that in the event Applicant has not published notice of its
19 application pursuant to R14-2-1104 and R14-2-1105, it publish the notice herein in a newspaper in
20 every county in the state in which it plans to do business no later than October 29, 1999, and that in
21 any event Applicant shall file affidavits of publication showing compliance with R14-2-1104 and
22 R14-2-1105 no later than November 19, 1999.

23 IT IS FURTHER ORDERED that the time periods specified herein shall not be extended
24 pursuant to Rule 6(a) or (e) of the Arizona Rules of Civil Procedure.

25 ...

26 ...

27 ...

28

1 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend or waive
2 any portion of this Procedural Order by subsequent Procedural Order or by ruling at hearing.

3 DATED this 4th day of October, 1999.

4 
5 JANE L. RODDA
6 HEARING OFFICER

7
8 Copies of the foregoing mailed this
9 4th day of October, 1999 to:

10 Barry Wade
11 Telstar Telecom Company, LLC
12 3923 South McClintock Dr., #410
13 Tempe, Arizona 85282

14 Timothy Berg
15 FENNEMORE CRAIG, PC
16 3003 North Central Avenue, Suite 2600
17 Phoenix, Arizona 85012
18 Attorneys for US West Communications, Inc.

19 Lyn, Farmer, Chief Counsel
20 Legal Division
21 ARIZONA CORPORATION COMMISSION
22 1200 West Washington Street
23 Phoenix, AZ 85007

24 Deborah Scott, Director
25 Utilities Division
26 ARIZONA CORPORATION COMMISSION
27 1200 West Washington Street
28 Phoenix, AZ 85007

By: 